

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

TERESA FORTIN, LORENZO
ESTRELLA, and IGNACIO
FIGEROA,

Plaintiffs,

V.

UNITED FOOD & COMMERCIAL
WORKERS, LOCAL NO. 271,

Defendant.

8:07CV405

MEMORANDUM AND ORDER

This matter is before the court on its own motion. On September 3, 2008, counsel for Plaintiffs was granted leave to withdraw and this matter was assigned to the pro se docket. (Filing Nos. [27](#) and 28 (text-only order).) In light of this, the progression order is modified below.

IT IS THEREFORE ORDERED that:

1. On the court's own motion and due to the reassignment of this matter to the pro se docket, the progression order in this case is modified as follows.
2. Deposition and discovery deadline. All depositions, whether or not they are intended to be used at trial, shall be completed by **January 15, 2009**.
3. Motions to compel discovery shall be filed on or before **January 15, 2009**. The parties must comply with the provisions of [NECivR 7.1\(i\)](#) before filing a motion to compel.

4. Dispositive Motions. All dispositive motions shall be filed on or before **February 17, 2009**. The parties must comply with the provisions of [NECivR 7.1\(a-h\)](#) and [NECivR 56.1](#) when filing summary judgment motions.

5. Pretrial Conference.

- a. Defense counsel will have the primary responsibility for drafting the Order on Final Pretrial Conference, pursuant to the format and requirements set out in [NECivR 16.2\(a\)\(2\)](#). The plaintiff will be responsible for cooperating in the preparation and signing of the final version of the Order. The Order should be submitted to the plaintiff and to any other parties by **April 17, 2009**. The plaintiff shall provide additions and/or proposed deletions to Defense counsel by **May 1, 2009**. Defense counsel shall submit the Proposed Order on Final Pretrial Conference to the court by no later than **May 15, 2009**. If a party proposes an addition or deletion which is not agreed to by all the other parties, that fact should be noted in the text of the document. The Proposed Order on Final Pretrial Conference must be signed by all pro se parties and by counsel for all represented parties.
- b. The Final Pretrial Conference will be held before Magistrate Judge David L. Piester on **June 2, 2009 at 9:00 a.m.** Prior to the pretrial conference, all items as directed in [NECivR 16.2](#) and full preparation shall have been completed so that trial may begin at any time following the Pretrial Conference.
- c. If a plaintiff is held in an institution, the pretrial conference will be by telephone. In that case, Defense counsel shall contact the plaintiff's institution in advance and arrange to initiate and place

the conference call.

6. The trial date will be set by Magistrate Judge Piester at the time of the Final Pretrial Conference.

7. The Clerk of the court is directed to set a pro se case management deadline in this case using the following text: Pretrial conference before Magistrate Judge Piester to be held on June 2, 2009.

8. The Clerk of the court is directed to send a copy of this Memorandum and Order to Magistrate Judge Piester.

December 10, 2008.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge